

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 99/19361

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7	C12N15/12	C12N5/10	C12N1/21	C07K14/47	C07K16/18
	A61K38/17	C12Q1/68			

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N C07K C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category ^o	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE EMHUM1 [Online] E.M.B.L. Databases Accession Number: AF047448, 17 March 1998 (1998-03-17) YANG L ET AL: "Homo sapiens TLS-associated protein TASR mRNA, complete cds" XP002128498 99.5% identity in 621 bp overlap with SeqIdNo.26 / 100% identity in 155 aa overlap with SeqIdNo.1 abstract</p>	1-16,19
P,X	<p>-& YANG L ET AL: "Oncoprotein TLS interacts with serine-arginine proteins involved in RNA splicing" JOURNAL OF BIOLOGICAL CHEMISTRY., vol. 273, no. 43, 23 October 1998 (1998-10-23), pages 27761-27764, XP002128497 the whole document</p>	1-16,19 -/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

24 January 2000

02.05.2000

Name and mailing address of the ISA
European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Lonnoy, O

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 99/19361

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	--- EP 0 679 716 A (MATSUBARA KENICHI ;OKUBO KOUSAKU (JP)) 2 November 1995 (1995-11-02) Human gene signature HUMGS00127 (SeqIdNo.113): 98.9% identity in 349 bp overlap with SeqIdNo.26 -& DATABASE GENESEQ [Online] E.M.B.L. Databases Accession Number: T19113, 4 July 1996 (1996-07-04) MATSUBARA K ET AL: "Human gene signature HUMGS00127" XP002128499 98.9% identity in 349 bp overlap with SeqIdNo.26 abstract	3-11
X	--- US 5 561 222 A (KEENE JACK D ET AL) 1 October 1996 (1996-10-01) figure 6	3-11
A	--- WO 98 23744 A (INCYTE PHARMA INC ;BANDMAN < OLGA (US); GOLI SURYA K (US)) 4 June 1998 (1998-06-04) -----	
A		

PENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PF-0579 PCT	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 99/ 19361	International filing date (day/month/year) 20/08/1999	(Earliest) Priority Date (day/month/year) 21/08/1998
Applicant INCYTE PHARMACEUTICALS, INC. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. Certain claims were found unsearchable (See Box I).

3. Unity of invention is lacking (see Box II).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

--
 None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/19361

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

see FURTHER INFORMATION sheet PCT/ISA/210

2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

see additional sheet, subject 1.

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box 3.

Although claim 19 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Further defect(s) under Article 17(2)(a):

Continuation of Box 3.

Claims Nos.: 17,18,20

Claims 17, 18 and 20 refer to an agonist, an antagonist and to the use of an antagonist of the polypeptide of claim 1 without giving a true technical characterization. Moreover, no such compound is defined in the application. In consequence, the scope of said claims is ambiguous and vague, and their subject-matter is not sufficiently disclosed and supported (Art. 5 and 6 PCT). No search can be carried out for such speculative claims the wording of which is, in fact, a mere recitation of the results to be achieved.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

Invention 1: claims 1-20 (all partially)

A substantially purified polypeptide of SeqIdNo.1, a fragment of said polypeptide; an isolated and purified polynucleotide encoding said polypeptide, a variant polynucleotide having at least 70% sequence identity to said polynucleotide, a polynucleotide hybridising to said polynucleotide, a polynucleotide having a sequence complementary to said polynucleotide; a detection method using said complementary polynucleotide; a polynucleotide comprising a sequence of SeqIdNo.26 or a fragment thereof, a polynucleotide having at least 70% sequence identity to said polynucleotide of SeqIdNo.26; expression vector, host and recombinant method related thereto; a pharmaceutical composition comprising said polypeptide of SeqIdNo.1; an antibody to said polypeptide of SeqIdNo.1 or fragment of said polypeptide of SeqIdNo.1; an agonist to said polypeptide of SeqIdNo.1; an antagonist to said polypeptide of SeqIdNo.1; therapeutic application thereof

Inventions 2-25: claims 1-20 (all partially)

Idem as for subject 1 but limited to each of the polypeptide sequences as in SeqIdNo.2-25 and the corresponding polynucleotide sequences as in SeqIdNo.27-50, wherein respectively invention 2 is limited to SeqIdNo.2 and SeqIdNo.27, invention 3 is limited to SeqIdNo.3 and SeqIdNo.28,..., invention 25 is limited to SeqIdNo.25 and SeqIdNo.50.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/19361

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
EP 0679716 A	02-11-1995	AU	8116494 A	13-06-1995
		CA	2153480 A	01-06-1995
		WO	9514772 A	01-06-1995
US 5561222 A	01-10-1996	US	5866680 A	02-02-1999
WO 9823744 A	04-06-1998	US	5962226 A	05-10-1999
		AU	7410598 A	22-06-1998

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PATENT COOPERATION TREATY

PCT

REC'D 16 MAR 2001	
WIPO	PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference PF-0579 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/19361	International filing date (day/month/year) 20 AUGUST 1999	Priority date (day/month/year) 21 AUGUST 1998
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant INCYTE PHARMACEUTICALS, INC.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input checked="" type="checkbox"/> Certain observations on the international application 	
<p>CORRECTED VERSION</p>	

Date of submission of the demand 21 MARCH 2000	Date of completion of this report 16 NOVEMBER 2000
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer STEPHANIE ZITOMER, PHD Telephone No. (703) 308-0196

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/19361

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed the description:pages 1-72, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the claims:pages 73-74, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the drawings:pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____ the sequence listing part of the description:pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

the language of publication of the international application (under Rule 48.3(b)).

the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in printed form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

the description, pages NONE

the claims, Nos. NONE

the drawings, sheets/fig NONE

5. This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been and will not be examined in respect of:

the entire international application.

claims Nos. __

because:

the said international application, or the said claim Nos. __ relate to the following subject matter which does not require international preliminary examination (*specify*).

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. __ are so unclear that no meaningful opinion could be formed (*specify*).

the claims, or said claims Nos. __ are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos. __.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.

the computer readable form has not been furnished or does not comply with the standard.

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The description is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 5 because it fails to contain an adequate written description of the claimed "fragments" of given sequences. The description is inadequate because it does not define the sizes or sequences of a representative number of species of the large genus of claimed fragments. The description is also inadequate in failing to describe a representative number of species of the large genus of "polynucleotide variants" having a given per cent sequence identity and failing to teach how to make the claimed "fragments" and "variants".

Claims 1-20 are objected to as lacking clarity under PCT Rule 66.2(a)(v) because practice of the claimed invention is not adequately described in writing, as required under PCT Rule 5.1(a)(iii), for the reasons set forth in the immediately preceding paragraph.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/19361

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): C07H 21/02, 21/04; C12P 19/34; C12Q 1/68; C07K 14/435, 16/18 and US Cl.: 435/6, 7.1, 91.2; 536/23.1, 24.3; 530/350, 387.1; 514/2, 44

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/19361

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

see FURTHER INFORMATION sheet PCT/ISA/210

2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

see additional sheet, subject 1.

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box 3.

Although claim 19 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Further defect(s) under Article 17(2)(a):

Continuation of Box 3.

Claims Nos.: 17,18,20

Claims 17, 18 and 20 refer to an agonist, an antagonist and to the use of an antagonist of the polypeptide of claim 1 without giving a true technical characterization. Moreover, no such compound is defined in the application. In consequence, the scope of said claims is ambiguous and vague, and their subject-matter is not sufficiently disclosed and supported (Art. 5 and 6 PCT). No search can be carried out for such speculative claims the wording of which is, in fact, a mere recitation of the results to be achieved.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

Invention 1: claims 1-20 (all partially)

A substantially purified polypeptide of SeqIdNo.1, a fragment of said polypeptide; an isolated and purified polynucleotide encoding said polypeptide, a variant polynucleotide having at least 70% sequence identity to said polynucleotide, a polynucleotide hybridising to said polynucleotide, a polynucleotide having a sequence complementary to said polynucleotide; a detection method using said complementary polynucleotide; a polynucleotide comprising a sequence of SeqIdNo.26 or a fragment thereof, a polynucleotide having at least 70% sequence identity to said polynucleotide of SeqIdNo.26; expression vector, host and recombinant method related thereto; a pharmaceutical composition comprising said polypeptide of SeqIdNo.1; an antibody to said polypeptide of SeqIdNo.1 or fragment of said polypeptide of SeqIdNo.1; an agonist to said polypeptide of SeqIdNo.1; an antagonist to said polypeptide of SeqIdNo.1; therapeutic application thereof

Inventions 2-25: claims 1-20 (all partially)

Idem as for subject 1 but limited to each of the polypeptide sequences as in SeqIdNo.2-25 and the corresponding polynucleotide sequences as in SeqIdNo.27-50, wherein respectively invention 2 is limited to SeqIdNo.2 and SeqIdNo.27, invention 3 is limited to SeqIdNo.3 and SeqIdNo.28, ..., invention 25 is limited to SeqIdNo.25 and SeqIdNo.50.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/19361

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
EP 0679716	A 02-11-1995	AU 8116494	A	13-06-1995	
		CA 2153480	A	01-06-1995	
		WO 9514772	A	01-06-1995	
US 5561222	A 01-10-1996	US 5866680	A	02-02-1999	
WO 9823744	A 04-06-1998	US 5962226	A	05-10-1999	
		AU 7410598	A	22-06-1998	

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C.20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 18 May 2000 (18.05.00)	Applicant's or agent's file reference PF-0579 PCT
International application No. PCT/US99/19361	Priority date (day/month/year) 21 August 1998 (21.08.98)
International filing date (day/month/year) 20 August 1999 (20.08.99)	
Applicant HILLMAN, Jennifer, L. et al	

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

21 March 2000 (21.03.00)

in a notice effecting later election filed with the International Bureau on:

2. The election was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

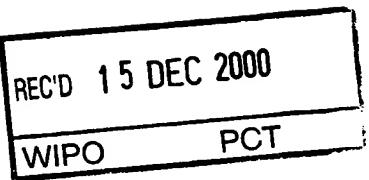
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Juan Cruz
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference PF-0579 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/19361	International filing date (day/month/year) 20 AUGUST 1999	Priority date (day/month/year) 21 AUGUST 1998
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant INCYTE PHARMACEUTICALS, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

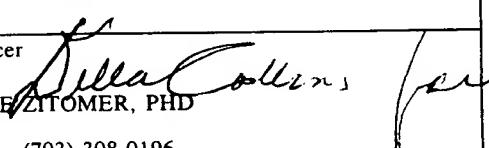
2. This REPORT consists of a total of 6 sheets.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 6 sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 21 MARCH 2000	Date of completion of this report 16 NOVEMBER 2000
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer STEPHANIE ZITOMER, PHD  Telephone No. (703) 308-0196
Facsimile No. (703) 305-3230	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/19361

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed the description:pages 1-72 _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____ the claims:pages 73-74 _____, as originally filed
pages NONE _____, as amended (together with any statement) under Article 19
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____ the drawings:pages NONE _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____ the sequence listing part of the description:pages NONE _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in printed form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

the description, pages NONE
 the claims, Nos. NONE
 the drawings, sheets fig. NONE

5. This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/19361

II. Priority

1. This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
 - copy of the earlier application whose priority has been claimed.
 - translation of the earlier application whose priority has been claimed.
2. This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid.

Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

NONE

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been and will not be examined in respect of:

the entire international application.

claims Nos. __

because:

the said international application, or the said claim Nos. __ relate to the following subject matter which does not require international preliminary examination (*specify*).

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. __ are so unclear that no meaningful opinion could be formed (*specify*).

the claims, or said claims Nos. __ are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos. __.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.

the computer readable form has not been furnished or does not comply with the standard.

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VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The description is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 5 because it fails to contain an adequate written description of the claimed "fragments" of given sequences. The description is inadequate because it does not define the sizes or sequences of a representative number of species of the large genus of claimed fragments. The description is also inadequate in failing to describe a representative number of species of the large genus of "polynucleotide variants" having a given per cent sequence identity and failing to teach how to make the claimed "fragments" and "variants".

Claims 1-20 are objected to as lacking clarity under PCT Rule 66.2(a)(v) because practice of the claimed invention is not adequately described in writing, as required under PCT Rule 5.1(a)(iii), for the reasons set forth in the immediately preceding paragraph.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/19361

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): C07H 21/02, 21/04; C12P 19/34; C12Q 1/68; C07K 14/435, 16/18 and US Cl.: 435/6, 7.1, 91.2; 536/23.1, 24.3; 530/350, 387.1; 514/2, 44



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁷ : C12N 15/12, 5/10, 1/21, C07K 14/47, 16/18, A61K 38/17, C12Q 1/68		A3	(11) International Publication Number: WO 00/11171 (43) International Publication Date: 2 March 2000 (02.03.00)
<p>(21) International Application Number: PCT/US99/19361</p> <p>(22) International Filing Date: 20 August 1999 (20.08.99)</p> <p>(30) Priority Data: 60/097,550 21 August 1998 (21.08.98) US 60/115,639 12 January 1999 (12.01.99) US</p> <p>(63) Related by Continuation (CON) or Continuation-in-Part (CIP) to Earlier Applications US 60/115,639 (CIP) Filed on 12 January 1999 (12.01.99) US 60/097,550 (CIP) Filed on 21 August 1998 (21.08.98)</p>		<p>C. [US/US]; 1240 Dale Avenue #30, Mountain View, CA 94040 (US). GUEGLER, Karl, J. [CH/US]; 1048 Oakland Avenue, Menlo Park, CA 94025 (US). GORGONE, Gina, A. [US/US]; 1253 Pinecrest Drive, Boulder Creek, CA 95006 (US). PATTERSON, Chandra [US/US]; 490 Sherwood Way #1, Menlo Park, CA 94025 (US). BAUGHN, Mariah, R. [US/US]; 14244 Santiago Road, San Leandro, CA 94577 (US). LAL, Preeti [IN/US]; 2382 Lass Drive, Santa Clara, CA 95054 (US). BANDMAN, Olga [US/US]; 366 Anna Avenue, Mountain View, CA 94043 (US). REDDY, Roopa [IN/US]; 1233 W. McKinley Drive, Sunnyvale, CA 94086 (US). AZIMZAI, Yalda [US/US]; 2045 Rock Springs Drive, Hayward, CA 94545 (US). SHIH, Leo, L. [US/US]; Apartment B, 1081 Tanland Drive, Palo Alto, CA 94304 (US). YANG, Junming [CN/US]; 7136 Clarendon Street, San Jose, CA 95129 (US). LU, Dyung, Aina, M. [US/US]; 55 Park Belmont Place, San Jose, CA 95126 (US).</p> <p>(74) Agents: BILLINGS, Lucy, J. et al.; Incyte Pharmaceuticals, Inc., 3174 Porter Drive, Palo Alto, CA 94304 (US).</p> <p>(81) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</p> <p>Published <i>With international search report.</i></p> <p>(88) Date of publication of the international search report: 27 July 2000 (27.07.00)</p>	
<p>(54) Title: HUMAN RNA-ASSOCIATED PROTEINS</p> <p>(57) Abstract</p> <p>The invention provides human RNA-associated proteins (RNAAP) and polynucleotides which identify and encode RNAAP. The invention also provides expression vectors, host cells, antibodies, agonists, and antagonists. The invention also provides methods for diagnosing, treating, or preventing disorders associated with the expression of RNAAP.</p>			

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